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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/431,017	11/01/1999	CLARE M. ANDERSON	DAVOX-164XX	8138

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BOURQUE & ASSOCIATES, P.A.
835 HANOVER STREET
SUITE 303
MANCHESTER, NH 03104

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 07/17/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/431,017

Applicant(s)

ANDERSON ET AL.

Examiner

Quynh H Nguyen

Art Unit

2642

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
- b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: None.

Claim(s) objected to: _____.

Claim(s) rejected: 1,4-25 and 27-36.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Attachment: Examiner's Exhibit A

In the previous office action (paper # 5 dated 11/18/02), Examiner interpreted the "resources" as agents which can be grouped. Applicant then amended claims 1, 5, 13, 25, and 33 (paper #6 dated 2/21/03) to recite "different resources". Then in the Final office action (paper #7 dated 4/24/03), Examiner interpreted the claimed "different resources" as:


1. queues (col. 1, lines 59-62)
2. agent workgroups and individual agents (col. 2, lines 5-8)
3. campaigns (col. 2, lines 8-11) and
4. call tables (col. 1, lines 63-65 - system routing calls)

Furthermore, in the Final office action, Examiner makes assertions of facts being well known to those of ordinary skill in the art. For example:

1. For claim 1, inbound dialed number identification service (DNIS) is well known and defined in Newton's Telecom Dictionary, sixth Edition, August 1993, page 326 (attachment - Examiner's Exhibit A).
2. For claim 6, adding user defined action detail data to the call center and including goals such as time spent talking to customers. This feature is well known and the advantages of using them are also well known. This feature is defined in class 379/265.07 and 379/265.08 (attachment - Examiner's Exhibit A). The claimed invention recites the language "at least one..." and therefore only one is needed to be addressed.
3. For claims 34 and 35, display statistics manager is responsible to display resources in the call center is necessary and obvious in a call center and there are many references that teach this. For example, Clare et al. (U.S. Patent 5,465,286) teach a system and method for supervising and automatic call distribution telephone system, wherein the prediction of pending abandonment of queued calls, pending loss of calls, and the potential financial impact of pending loss of calls are displayed (attachment - Examiner's Exhibit A).

Examiner has found references that read on main claimed invention. However, it is unreasonable to include citations to prior references for all the "whistles and bells" that Applicant has in his claims.

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